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KENJI M. PRICE #10523
United States Attorney
District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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MARION PERCELL #10805
MICHAEL F. ALBANESE #9421
Assistant U.S. Attorneys
Room 6-100, Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Emails: marion.percell@usdoj.gov
michael.albanese@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 16-000556 JMS
)	
Plaintiff,)	SUPERSEDING INDICTMENT
)	
vs.)	[21 U.S.C. §§ 841(a)(1), 841(b)(1)(A),
)	841(b)(1)(B), 846, and
WILLIAM NOTYCE and (1))	18 U.S.C. § 2]
KEITH MATSUDA, (3))	
)	
Defendants.)	
)	

SUPERSEDING INDICTMENT

The Grand Jury charges that:

Count 1

Conspiracy to Distribute 50 Grams or More of Methamphetamine
(21 U.S.C. § 846)

From a precise date unknown, but by at least August 3, 2016, and continuing to on or about August 5, 2016, within the District of Hawaii and elsewhere, WILLIAM NOTYCE and KEITH MATSUDA, the defendants, and Chaes Yanagihara, who is not charged as a defendant herein, and others known and unknown to the grand jury, knowingly and intentionally conspired to distribute and to possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

Count 2

Attempted Possession with Intent to Distribute 50 Grams or More of
Methamphetamine
(21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846)

On or about August 5, 2016, within the District of Hawaii, WILLIAM NOTYCE and KEITH MATSUDA, the defendants, did knowingly and intentionally attempt to possess with intent to distribute 50 grams or more of methamphetamine, namely approximately 1,975 grams of d-methamphetamine hydrochloride, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846 and Title 18, United States Code, Section 2.

Count 3

Possession with Intent to Distribute 50 Grams or More of Methamphetamine
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about August 5, 2016, within the District of Hawaii, WILLIAM NOTYCE, the defendant, did knowingly and intentionally possess with intent to distribute 50 grams or more of methamphetamine, namely approximately 448 grams of d-methamphetamine hydrochloride, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Count 4

Possession with Intent to Distribute 5 Grams or More of Methamphetamine
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B))

On or about August 5, 2016, within the District of Hawaii, KEITH MATSUDA, the defendant, did knowingly and intentionally possess with intent to distribute 5 grams or more of methamphetamine, namely approximately 13.86 grams of d-methamphetamine hydrochloride, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

1. The allegations set forth in Counts 1 through 4 of this Superseding Indictment are hereby re-alleged and incorporated by reference as though set forth in full herein for the purpose of noticing forfeiture pursuant to 21 U.S.C. § 853.

2. The United States hereby gives notice that, pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841(a)(1) or 21 U.S.C. § 846, defendants WILLIAM NOTYCE and KEITH MATSUDA shall forfeit to the United States of America any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense, including but not limited to the sums of approximately \$552,200.00 and \$4,316.00 in United States currency, both of which were seized at 1655 Makaloa Street, Honolulu, Hawaii, on or about August 5, 2016, and the sum of approximately \$5,000.00 in United States currency, which was seized on or about August 10, 2016, at a residence on Hilala Street in Honolulu, Hawaii.

3. If any of the property described in paragraph 2 above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or


e. has been commingled with other property which cannot be divided without difficulty;


the United States of America shall be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to 21 U.S.C. § 853(p).

DATED: August 2, 2018, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson
FOREPERSON, GRAND JURY


KENJI M. PRICE
United States Attorney
District of Hawaii


MARION PERCELL
MICHAEL F. ALBANESE
Assistant U.S. Attorneys

United States v. William Notyce and Keith Matsuda
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